



U.S. Department of Justice  
Civil Division

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VIA CM/ECF

March 4, 2013

Patricia S. Connor, Clerk  
U.S. Court of Appeals,  
for the Fourth Circuit  
1100 East Main Street, Suite 501  
Richmond, Virginia 23219

RE: *United States v. Springer* (No. 12-7687)

Dear Ms. Connor:

In accordance with Fed. R. App. P. 28(j), we write to inform the Court of a new development in the above-captioned case.

The government previously informed the Court that respondent Frederick Springer was returned to the custody of the Bureau of Prisons in December 2012 following the revocation of his supervised release. In accordance with the Adam Walsh Act, the Bureau of Prisons subsequently evaluated Springer to determine whether, in its view, Springer meets the statute's criteria for civil commitment upon release, which is currently projected to take place in November 2013. On February 22, 2013, the Bureau of Prisons formally certified Springer as meeting the criteria for civil commitment. Under the Act's customary procedures, that certification will trigger a new action in district court in which the government will bear the burden of establishing that Springer should be committed as a sexually dangerous offender.

At oral argument in this case, the Court discussed with counsel questions of mootness arising from Springer's re-incarceration. The government stands ready to provide further briefing on this question if the Court believes that additional submissions would aid its consideration of the case.

Sincerely,

/s/ Benjamin M. Shultz  
BENJAMIN SHULTZ  
Attorney for Appellant

Enclosures

cc: all counsel (via CM/ECF)

**CERTIFICATE OF SERVICE**

I hereby certify that on March 4, 2013, I electronically filed the foregoing using the CM/ECF system. Service will be effected that same date automatically via the CM/ECF system on the following counsel:

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